

Application No. 09/932,250  
Docket No. 1999U021D2.US  
Reply to Office Action Dated February 10, 2004

### Remarks

#### **Claims**

Claim 40 is amended. Claims 41 and 42 have been cancelled.

#### **Section 112 Rejections**

Claims 40-46, 48 and 49 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claim 40 is amended, and is believed to add no new matter, as this limitation is found in the specification as filed at page 23, paragraph [087], and throughout. The limitation of Claim 42 was added to Claim 40. It is believed that the amendments take into account the Examiner's rejections.

The meaning of Claim 45 is clear, as the invention is to the combination of the acid and base compounds with the catalyst composition such that the polymerization catalyst is allowed to react at "polymerization operation temperature", the acid and base chosen such that they react at an "onset" temperature.

The Applicant contends that "bulky ligand metallocene-type catalyst compound" is clear as defined in the specification, and one of ordinary skill in the art reading the claims in light of the specification, as the claims should be read, would understand such a phrase.

Withdrawal of these rejections is requested.

#### **Section 103 Rejections**

Claims 40 - 49 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Klein et al.*, US 3,082,198 (herein after referred to as *Klein*). This rejection is traversed. Nowhere is there any teaching by *Klein* of employing acid and base compounds that will

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deactivate the catalyst when the polymerization temperature rises above the polymerization operating temperature (at an "onset temperature").

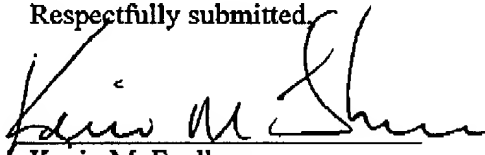
The Applicant requests the withdrawal of this rejection.

In view of the above it is now respectfully submitted that the claims in this application are in condition for allowance. Prompt notice of allowance is respectfully solicited. The Applicant invites the Examiner to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Examiner's satisfaction.

Date

3/8/04

Respectfully submitted,



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